

#	RFP REFERENCE	BIDDER QUESTION	SOS RESPONSE
1	Table VII.1, Line (A) and Cost Table VII.10, Line (A)	What is included in the \$35,000,000 FSR budget?	The Bidder's Final Proposal, including the central implementation components of the optional VoteCal EMS if proposed by the bidder, must not exceed \$35 million as specified in the VoteCal FSR. This is the sum of Cost Table VII.1, Line (A) and Cost Table VII.10, Line (A). Copies of the FSR can be found in the Bidders' Library.
2		For the VoteCal EMS, can Bidder assume that the pilot counties would continue using the EMS after the pilot implementation?	For purposes of costing the proposal, Bidders may assume EMS pilot counties will continue to use the centralized EMS. SOS does not expect counties who volunteer to pilot the EMS to return to their previous systems/methods.
3	SOS Contract, Statement of Work	How many Counties will be in the pilot? What should Bidder assume are the tiers associated with the pilot counties?	At the start of the EMS project, SOS will identify a maximum of two counties, representing no more than 250,000 total registered voters, to serve as the pilot counties. This clarification was inserted into Addendum 8, Attachment 1 – Statement of Work, Exhibit 3: VoteCal EMS Development and Pilot Implementation— Tasks and Deliverables.
4	VoteCal System Project Deliverables Cost includes percentages for each phase. Table VII.1 consists of three kinds of Cost: Services Labor, Base Solution License, and Infrastructure Hardware and Software.	Should the vendor apply the percentages to all three of these categories, or should the percentages represent the allocation of Services Labor with the other two categories being applied when they are incurred. If the former is true, is there any issue with SOS being invoiced for a percentage of Production HW/SW Environment in the Project Initiation Phase when the HW/SW is actually not purchased until just before the Implementation?	Vendor may only invoice for accepted deliverables at the amounts specified in the RFP.
5		Should the EMS Central Pilot Deployment Cost include full implementation and one-year support for the pilot counties?	No. This was further clarified in RFP Section VII in Addendum 8.

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6		Provide the dimensions for the raised floor room.	This information has been added to the Bidder's Library.
7	RFP, Section VI – Project Management, Business, and Technical Requirements	Would it be possible to get copies of some forms that are referenced in the VoteCal solicitation? 1. Alternate Residence Confirmation Postcard (ARCP) 2. Change of Address Notification (CAN) 3. Pre-election Residency Confirmation Postcard (PRCP) 4. Residence Confirmation Postcard (RCP) 5. Voter Notification Card (VNC)	While the general requirements for these notices (including in some cases actual text that must appear in the notice) are specified in statute (CA Elections Code §§ 2220 through 2226), the actual content and format of the notices will vary from county to county based upon the specific election management system in use, Voting Rights Act (VRA) language requirements, and the preferences of the county. The RFP and these statutes dictate the business processing rules and requirements to support these notices. The VoteCal RFP requires that content and format of such notices must be fully customizable by SOS administrators; the particular format and content of any county sample may not represent production requirements.

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8	RFP, Section VI – Project Management, Business, and Technical Requirements	Is California using a specific NVRA form? If so, we would like a copy.	<p>If you are referring to the National Voter Registration Form mandated by the National Voter Registration Act (NVRA), all counties in California accept voter registrations submitted on these forms. However, California has a variety of official voter registration forms that are customized for the jurisdiction or agency providing the form.</p> <p>If you are referring to the notice that is sent to a registered voter when an elections official receives third-party notice of a voter's address change (commonly referred to as an "8(d)(2)" notice, each county is free to send its own notice as long as that notice complies with the requirements set forth in the NVRA, as well as State law.</p>

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9	RFP, Section VI – Project Management, Business, and Technical Requirements	Could we get a sample(s) of a petition and ballot?	<p>There is no requirement in the VoteCal RFP for the VoteCal System or the VoteCal EMS to print nomination petitions or petitions for ballot measures. Petitions for ballot measures are generally formatted and printed by the measure's circulator. Candidate nomination petitions are supplied by the county, but need not be formatted and generated by the county election management system. California Elections Code sets forth general requirements for petition format in the General Provisions, Chapter 1, and in Division 9, Chapters 1 and 2. Bidders can find more information about the required format and content for ballot measure petitions on the Secretary of State's website at: <a href="http://www.sos.ca.gov/elections/elections_h.htm">http://www.sos.ca.gov/elections/elections_h.htm</a></p> <p>There are several requirements in the VoteCal RFP with respect to petitions that set forth the data elements that must be captured and the business logic required for processing that data. (RFP Section VI, Requirements E27.1 through E28.16)</p> <p>There is no requirement in the VoteCal RFP for the VoteCal System or the VoteCal EMS to perform ballot layout or generate ballot images. Actual ballot layout is largely dictated by the voting system in use in each county, and is constrained by the ballot format requirements set forth in California Elections Code, Division 13.</p> <p>There are several requirements in the VoteCal RFP with respect to the data elements that must be captured for an election and the business logic required for processing that data. (RFP Section VI, Requirement Sections E14 through E17) Bidder should also refer to Requirement E17.6 for the requirement of the VoteCal EMS to export ballot definitions (content data) in various formats.</p>

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10	RFP Glossary	What is the difference between Home Precinct and Voting Precinct? Our assumption is the Home Precinct is the precinct that the voter lives in and the Voting Precinct is the precinct that they vote in. Is the Voting Precinct a central location that anyone can vote at or is the Voting Precinct always tied to a specific precinct?	<p>As noted in the RFP Glossary, the home precinct is the base precinct to which a voter is assigned, based on his or her domicile address, such that all voters within that precinct are resident within the same political districts.</p> <p>The voting precinct is the geographical based area to which voters are assigned to vote for a specific election. In many cases, the voter's assigned voting precinct is identical to the assigned home precinct. In other cases, multiple home precincts that share the same ballot style can be combined into a single voting precinct for a given election. Voting precincts may be declared "all mail-ballot" precincts, in which case they have no physical polling place. In all other cases, there is a physical polling place designated for the voters within that voting precinct.</p>
11		Which companies won the supporting contracts that have been awarded? That is the Consultant, the Project Management Consulting, and the Project Assistant.	<ul style="list-style-type: none"> <li>• IPOC: Continuity Consulting Inc, Folsom, CA</li> <li>• IV&amp;V: Information Integration Innovation &amp; Associates, Inc., Sacramento, CA</li> <li>• Procurement Consultant: R&amp;G Associates, Folsom, CA</li> <li>• Project Assistant: Comsys Services LLC, Folsom, CA</li> <li>• Project Management Consultant: Kiefer Consulting, Inc., Folsom, CA</li> </ul> <p>Request for Offer (RFOs) for supporting contracts are in the Bidders' Library</p>

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12	RFP Section VII Detail Cost Tables (Addendum 6)	Should cost table data be omitted for the final proposal?	<p>In Addendum 8 SOS moved several 'informational tables' related to the proposed hardware and software from RFP Section VII – Cost Tables to RFP Section VI, Exhibits VI.7 through VI.12f. These hardware and software lists must be completed as part of the response to Requirement P13. These tables do not include any cost information.</p> <p>The remaining tables in RFP Section VII – Cost Tables all contain cost data that must be completed as part of the Bidder's proposal. These must still be submitted separately sealed as Volume III of the Bidder's Final Proposal.</p> <p>RFP Section VIII – Proposal Format was updated accordingly to reflect these changes.</p>
13	RFP Section VI, Requirement P-14; RFP Section VIII, Volume IV; RFP Section IX	<p>Does P-14 apply given the change to 4. Volume IV Literature?</p> <p>RFP Section IX Requirement P-14 Systems Documentation Did the Bidder provide the standard product documentation for all third-party products included as part of the proposed solution? Does the Bidder agree to provide the following systems documentation for the proposed solution:  <ul style="list-style-type: none"> <li>* System Operations;</li> <li>* System Technical Documentation;</li> <li>* System End User's Documentation;</li> <li>* Help Desk Documentation;</li> <li>* System Technical Schematics and Data Dictionary;</li> </ul> </p>	<p>The actual text of Requirement P14 (RFP Section VI) was updated in Addendum 6 to parallel the language of Section VIII Proposal Format, Volume IV, that is:</p> <p style="padding-left: 40px;">"This volume must contain all technical and other reference literature the Bidder deems necessary to support the responses to the requirements of this RFP."</p> <p>Unfortunately, we overlooked the parallel adjustment to the Section IX Evaluation and Selection criteria for evaluation of that requirement. Bidder must fully respond to Requirement P-14 [RFP Section VI], as well as the Proposal Format requirements of RFP Section VIII.</p> <p>The criteria for evaluation of this requirement in Section IX was updated in Addendum 8.</p>

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13, [cont]	RFP Section VI, Requirement P-14; RFP Section VIII, Volume IV; RFP Section IX	<p>* As-Built Documentation of all Configuration, Modification, or Programming;</p> <p>* System Back-up and Recovery procedures; and</p> <p>* System Maintenance Documentation upon completion of the training that may be modified or supplemented as needed? Does the Bidder agree to allow SOS to duplicate all materials and manuals?</p> <p>RFP Section VIII 4. Volume IV - Literature 1 Master copy and 10 copies Technical documentation for platform software &amp; hardware: 1 Master copy and 1 copy All other documentation: 1 Master copy and 4 copies This volume must contain all technical and other reference literature the Bidder deems necessary to support the responses to the requirements of this RFP. This volume must be tabulated so that the various reference materials can be located for evaluation purposes.</p>	(See above.)
14	VoteCal Statewide Voter Registration System SECTION VI – Project Management, Business and Technical Requirements	Is it correct that the terminology “fileshares on an external storage device” mentioned in requirement T3.9 means a storage destination which includes a standard, random-access file-system structure and that the Bidder is not required to support tape backups across the network?	Yes, that is correct and the Bidder is not required to support tape backups across the network as stated.

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15	VoteCal Statewide Voter Registration System SECTION VI – Project Management, Business and Technical Requirements	T12 requirements relate to Help Desk. The requirement is Pass/Fail and asks for supporting documentation. There is no DRAFT Plan required for Help Desk so do you want us to include our SLA as it pertains to the SOW has supporting documentation? Otherwise, please clarify what supporting documentation you would like for Help Desk?	At a minimum, bidder must agree to fully meet all requirements. Bidder may reference external documents to support bidder's ability to meet these requirements. Under no circumstances should Bidder provide Service Level Agreements or assumptions, as they may conflict with other provisions of the RFP.
16		[Bidder] understands the bond requirement in that we must provide a letter to unconditionally guarantee 50% of the Project Deliverables cost (excluding hardware). Can you please clarify which project deliverables should be included in the bond if we propose the VoteCal EMS which includes development and piloting, county implementation and the warranty period. Please clarify what the bond should cover VoteCal only or VoteCal and VoteCal EMS?	<p>The bond requirement is not as stated in the question however. In Addendum #2 the (excluding hardware) was stricken so it reads "50% of the Project Deliverable cost". This includes the hardware.</p> <p>The bond requirement does not include the VoteCal EMS. The bond shall be 50% of Cost Table VII.1 (Addendum #8).</p>
17	RFP Section VIII - RFP makes a reference to a Standard Form 213IT which must be signed	Bidder cannot locate this form. Where can this be found?	Standard Form 213IT is the Standard Agreement found in Appendix A, State Contract.
18	RFP Section VI, Requirement T3.8	If 2000 users are compliantly serviced at the Primary site including UPS protection of the VoteCal there, then is the Bidder also required to provide similar UPS protection for the DR environment at the COOP sit?"	No.



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19	Addendum 3; Cost Tables Page VII-24; Optional Cost Table VII.10 - Optional VoteCal EMS Central Implementation	<p>Please confirm that the payment schedule for this project segment is independent of any county implementation of the VoteCal Optional EMS.</p> <p>More specifically that "Phase V: Pilot Deployment" and "Phase VI: First Year Operation and Closeout" are specific to only the central software components and do not rely on any county using the software.</p> <p>The scenario that we are asking about is the case where the SOS decides to implement the Optional VoteCal EMS even though there has not been a commitment secured from any county or counties to participate. We want to confirm that Phases V and VI are not dependent on any county implementation.</p>	Refer to revised Cost Tables in Addendum 8.
20	Addendum 6; Section VI; Page VI-105; Requirement T6.3	<p>T6.3 States : "The VoteCal network must be designed and tested so that network transit time for any affidavit image is less than five seconds to any site. The VoteCal network must support this performance level for at least ten (10) image transactions per second from the ten (10) largest counties and from the SOS, and at least 0.5 image transactions per second for the remaining counties."</p> <p>Is the intention of the SOS to have the system implemented so that each of the 10 largest counties can sustain 10 affidavit transactions per second while guaranteeing that no single transaction takes more than 5 seconds to traverse the network? Meaning mean that 10 new affidavit transmissions could start every second and overlap all transmissions that are previously in progress from previous seconds?</p> <p><i>[continued on next page]</i></p>	It is not the intent of SOS to require a sustained rate of 10 images per second.

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20 [cont.]	Addendum 6; Section VI; Page VI-105; Requirement T6.3 [continued]	If yes, the 5 second parameter falls out of the equation (50 overlapping 5 second transmissions require the same bandwidth as 10 overlapping 1 second transmissions of equal size) Calculated from empirical data on Orange County, this would require an absolute minimum of 3.0 Mb backhaul to SOS from OC.	[see response above]
21	(General)	We would like to understand how or if <i>[the State's deficit and the fiscal emergency]</i> could impact the VoteCal project or the State's ability to pay. We understand that this project is federally funded but that it will still require review from the legislature. Is it possible that VoteCal could be cancelled or that the State could demand other changes to our payment structure?	<p><b>Regarding restrictions on the fund and the requirement to comply with statewide voter registration database requirements:</b></p> <p>The Help America Vote Act of 2002 (HAVA) Section 251(b)(1) USE OF FUNDS - states: "Except as provided in paragraph (2), a State receiving a requirements payment shall use the payment only to meet the requirements of Title III." Title III includes Section 303, the requirements for the statewide voter registration database that is the subject of the bidding process.</p> <p>Paragraph (2) referred to above in Section 251(b)(1), the exception to the use of funds only for Title III requirements, is \$11.6 million in statewide funding, which has already been allocated to counties through the voting system upgrade contracts.</p> <p>Further, under Section 254(b), HAVA specifies that the requirements payment funds received by a state must be deposited in a state election fund, which in California has been established under the federal trust fund. HAVA Section 254 (b)(2) states:</p>

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21, [cont.]	(General) [continued]		<p>"Amounts in the fund shall be used by the State exclusively to carry out the activities for which the requirements payment is made to the State under this part."</p> <p>In short, these sections mean that California cannot use the funding for any purpose other than meeting the requirements of Title III, which includes the statewide voter registration database, and the funds must be segregated into a restricted fund.</p> <p>California is required by federal law to comply with the provisions of Title III, including developing and implementing the statewide database. In fact, HAVA Section 402 (b)(1)(B) mandates that even states that do not accept federal funding must comply with the requirements of Title III. Therefore, the mandate to comply is unequivocal.</p> <p>Finally, on Nov. 2, 2005, California entered into a binding Memorandum of Agreement (MOA) with the US Department of Justice - the enforcement authority for HAVA (see Section 401) - which requires the State of California to pursue the VoteCal project. That MOA is tied to the approved FSR for the VoteCal project and obligates the state to pursue this project.</p> <p><b>Regarding the disposition of federal funds generally:</b></p> <p>During past budget deliberations when California faced dire budget shortfalls, federal funds were not impacted.</p>

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22	Attachment 1 - Statement of Work, Page 11 of 18— Section 9 (b) (iii) Fees and Charges	We are contemplating in our proposal that we would invoice the base software license, the <i>[proposed]</i> software suite, separate from the VoteCal Application which is the final project deliverable as defined in VII.3 – Final SOS System Acceptance Sign-Off including all modifications and configurations. It would be our intention to bill for the <i>[proposed]</i> software license at the start of the project and then invoice the remainder of the project including the full VoteCal Application in accordance with the SOW. How do we interpret the <i>[referenced]</i> section relative to that base application software invoice?	Contractor will be paid for development, hardware, software and implementation of the VoteCal system as specified in RFP section 7 (Cost Tables). These payments will be made upon acceptance of specified deliverables, and at specified percentages of the total bid amount for the VoteCal system. Bidders may not make changes to this payment schedule, and may neither add or delete payable deliverables nor adjust the percentages allocated to each deliverable. Refer to revised Cost Tables in Addendum 8.
23		Would the state consider reducing the bonding requirements or replacing them with other security mechanisms as allowed by PCC 12112?	No.
24		Would the SOS be willing to write separate purchase orders (or requisition orders) for the hardware and accept a separate Supply Bond for the hardware deliverables cost?	No.
25		Will the SOS consider a bond form that contemplates specific reductions in the bond amount as the hardware is delivered to the SOS?	No.
26		With respect to off-the-shelf and ready-to-use software products and related licensing agreements, will the SOS consider payment terms that contemplate invoicing in full for this type of software upon delivery and installation and a bond form that contemplates specific reductions in the bond amount as this type of software is delivered and installed?	No.

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27		Would the SOS consider evidence of a strong E&O policy as (A) A substitute for the performance bond, or (B) Warranting a reduction in the amount of the performance bond?	No.
28		Will the State consider a reduction in the Bond amount upon system acceptance, or for the acceptance of phases within the project plan for purposes of just securing the contractor's obligations under the subsequent one (1) year warranty and one (1) year maintenance and operations period – for example, reducing the Bond amount to five percent (5%) or ten percent (10%) of the original bond amount?	No.